

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JULY 30, 1996  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:08 a.m. Mayor Golding recessed the meeting at 10:30 a.m. to convene the Housing Authority. Mayor Golding reconvened the regular meeting at 10:31 a.m. with all Council Members present. The meeting was recessed by Mayor Golding at 12:15 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:08 p.m. Mayor Golding adjourned the meeting at 6:05 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

ITEM-PC-8:

Comment by Don Leichtling regarding improving the public's access to City Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A044-059.)

ITEM-PC-9:

Comment by Quentin Laywell regarding the Outreach Service Program for the homeless mentally ill that will be located on 30th Street.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A060-088.)

COUNCIL COMMENT:

ITEM-CC-1:

Deputy Mayor Stallings introduced and welcomed her mother who attended the Council Meeting.

FILE LOCATION: MINUTES

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Tuesday, July 30, 1996**

**Page 3**

COUNCIL ACTION: (Tape location: A091-096.)

ITEM-105: CONTINUED TO AUGUST 5, 1996

SUBJECT: Metropolitan Operation Center Expansion.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-49)

Accepting a grant deed of Kearny Villa Investments, granting to the City an industrial building on 2.26 acres of land located at 9191 Kearny Villa Court in Kearny Mesa, for the expansion of the immediately adjacent Metropolitan Operations Center, CIP-40-922.0;

Authorizing the expenditure of not to exceed \$2,500,000 from Fund No. 41508, CIP-40-922.0, Metropolitan Operations Center - Expansion, for acquisition of property rights, move-in modifications, and related costs.

CITY MANAGER SUPPORTING INFORMATION:

This action provides for the acquisition of an industrial warehouse facility located immediately adjacent to the Metropolitan Wastewater Department's (MWWD) Operations Center in Kearny Mesa. The property, located at 9191 Kearny Villa Court, consists of a 35,557 square-foot office/warehouse structure with related parking and storage yard situated on a 2.263 acre site. The property, because of its size and location, is considered critical to MWWD's creation of a centralized warehouse and equipment repair facility.

The property owner refused the City's offer of \$2,250,000 based on a fair market value appraisal and instead wanted to lease the property to the City on a long-term basis. In comparing the economics of a long-term lease versus a purchase of the property, the interests of the public are best served by an outright purchase of the property.

After numerous negotiations and consideration of other alternatives, staff and the property owner reached a negotiated purchase price of \$2,400,000.

Advantages of the site include: 1) being adjacent to the existing Metropolitan Operations Center on Topaz Way allows for shared services, parking, and walking access to the staff of three MWWD divisions and the City's day care facility; 2) allows for full implementation of the Operations and Maintenance Division's automated maintenance management system, for centralized, cost-effective inventory, acquisition, repair, and deployment of specialized equipment; 3) allows for relocation of a vital Wastewater Collection Division equipment repair team from its present Chollas location to integrate with other MWWD repair activities; 4) allows for improved out-station vehicle maintenance services from the Public Works Business Center Transportation Department/Equipment Division; 5) provides for quick and convenient freeway access to the Metropolitan Biosolids Center, the North City Water Reclamation Plant and existing facilities.

Aud. Cert. 9700076.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A097-300.)

CONSENT MOTION BY STALLINGS TO CONTINUE THIS ITEM FOR ONE WEEK, AT THE REQUEST OF THE CITY MANAGER, TO PROVIDE COUNCIL WITH ADDITIONAL INFORMATION. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Two actions related to a Ballot Measure for the Special Municipal Election of November 5, 1996 Regarding Retirement System Issues.

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Tuesday, July 30, 1996**

**Page 5**

Subitem-A: (O-97-4) INTRODUCED AND ADOPTED AS  
ORDINANCE O-18329 (New Series)

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego at the Special Municipal Election consolidated with the Statewide General Election to be held on November 5, 1996, one proposition amending Section 141 of the City Charter relating to City Employees' Retirement System.

Subitem-B: AUTHORIZE COUNCIL MEMBER WARDEN TO AUTHOR  
BALLOT ARGUMENT

The matter of Council direction regarding authorship of the ballot argument.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I286-299.)

MOTION BY KEHOE TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE FOR SUBITEM A, AND TO AUTHORIZE COUNCIL MEMBER WARDEN TO AUTHOR BALLOT ARGUMENT LANGUAGE FOR SUBITEM B. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

**ITEM-330:**

SUBJECT: This is the second of two public hearings regarding the annual assessments for the North Park Lighting and Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(North Park Community Area. District-3.)

**CITY MANAGER'S RECOMMENDATION:**

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1221) ADOPTED AS RESOLUTION R-287697

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the North Park Lighting and Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed lighting and landscape district (LLD) consists of landscaped medians and parkway along major streets in the North Park Community.

Additional lighting is also proposed to be incorporated. If the district is formed, construction of the landscaping improvements and additional street lights will be installed as part of CIP-39-2070. The lighting and landscape improvements currently under construction will be completed by September 1996. Property owners within the district would pay for the annual maintenance of the landscape and street lights on the basis of benefit. A letter with postcard survey was sent to all affected property owners asking if they favor the proposed district. In response, property owners representing 13 percent of the assessable area indicated support for the district; property owners representing 11 percent of the assessable area indicated opposition. This action proposes to: a) incorporate the areas on El Cajon Boulevard between Park Boulevard and Texas Street and between 30th Street and Boundary Street (existing Mid-City Zones 5 and 9); b) incorporate the area on University Avenue between 30th Street and Ohio Street (existing Mid-City Zone 6); and c) incorporate the street light district along 30th Street and University Avenue (University Avenue Subdistrict No. 1 of the City of San Diego Street Light Maintenance District No. 1). The proposed FY '97 budget (maintenance costs) for the North Park LLD is as follows:

REVENUE	Estimated	EXPENSES	Estimated
Carryover	\$ 37,492	Personnel	\$ 18,847
Assessed to District	203,512	Contractual Maintenance	
			132,398
Interest	1,146	Incidental	44,924
City Contribution/Gas Tax	2,853	Utilities	28,500
TOTAL REVENUES	\$245,003	TOTAL EXPENSES	\$224,669

Reserve/Balance:	\$ 20,334
Total Expense/Reserve/Balance:	\$245,003

The proposed assessments are on an Equivalent Dwelling Unit (EDU) basis.

The commercial properties will be assessed at 40 EDUs/acre = \$460/acre, or \$920/acre if immediately adjacent to improvements. Single-family homes will be assessed \$11.50 each, and condominiums will be assessed \$8.05 each or \$23 and \$16.10 if adjacent to improvements.

FILE LOCATION: STRT - M-378

COUNCIL ACTION: (Tape location: A318-C614.)

Hearing began at 10:31 a.m. and halted at 12:14 p.m.

Testimony in opposition by Larry Kelly, Arthur Specht, Barbara Sarten, Wallace Underwood, George Burger, Carlos Magana, Henry Klein, Fern Parham, Bette Nystrom, Mark Spitzer, Eugene Chamberlin, Elaine Chaffin, Bill Richardson, Quentin Laywell, and Margarite Stitt.

Testimony in favor by Richard Kurylo, Don Leichtling, Nan Hoback, Michael Powers, Vicki Granowitz, Jay Turner, Joe Sinnott, Joe Schloss, Brad Sandstrom, Dennis Campbell, Joan Campbell, Steve Russell, Lynn Whitehouse, Christine Pemberton, Linda Solway, Joey Perry, Aida Mancillas, Karon Covington, Ray DiCiccio, Bradley Jordan-Coates, and Ralph Dilts.

MOTION BY KEHOE TO ADOPT THE RESOLUTION APPROVING THE NORTH PARK LANDSCAPE MAINTENANCE DISTRICT AS IT WAS PRESENTED TO COUNCIL THIS MORNING, AND TO APPROVE THE ESTABLISHMENT OF THE COMMUNITY ADVISORY COMMITTEE. THE COMMITTEE SHOULD INCLUDE A MEMBER OF THE APARTMENT ASSOCIATION ALONG WITH COMMUNITY GROUPS AND RESIDENCES IN THE NORTH PARK AREA.

Second by Mathis. Passed by the following vote:  
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-not present.

ITEM-331:

SUBJECT: This is the second of two public hearings regarding the annual assessments for the First San Diego River Improvement Project Landscape Maintenance District.

Following public testimony at today's meeting, the

Council will consider and may confirm the proposed assessments.

(Mission Valley Community Area. District-6.)

(Continued from the meeting of July 16, 1996, Item 331, at the City Manager's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1341) ADOPTED AS RESOLUTION R-287698

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the First San Diego River Improvement Project Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for First San Diego River Improvement Project Landscape Maintenance District (LMD). The district was established in 1987 to provide maintenance for the San Diego River earthen flood control channel, eight river islands inside the channel zone, and an approximately 20 foot wide buffer zone running along and adjacent to the channel embankments. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$461,055	\$ 461,055
REVENUE:			
Assessments	\$ 255,205	0	\$ 255,205
Interest	0	19,333	19,333
TOTAL REVENUE	\$ 255,205	\$ 19,333	\$ 274,538
TRANSFER	294,005	(294,005)	0
EXPENSE:			
Personnel	\$ 36,492	\$ 0	\$ 36,492
Contractual	388,000	(250,000)	138,000
Incidental	77,018	0	77,018



**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Tuesday, July 30, 1996**

**Page 9**

Utilities	47,700	0	47,700
TOTAL EXPENSE	\$ 549,210	(\$250,000)	\$ 299,210
ENDING BALANCE	\$ 0	\$436,383	\$ 436,383

The proposed assessment for Fiscal Year 1997 is \$1,518.54 per net acre. The total dollar value assessed is the same as Fiscal Year 1996. The method for apportioning the assessment to the individual parcels within the district has been changed from a method based on the original FSDRIP bond debt to one based on the net acres of land in the district. This revised apportionment method is based on an independent report prepared for the City by Willdan Associates. The district contains 168.06 net acres.

FILE LOCATION: STRT M-381

COUNCIL ACTION: (Tape location: A097-300.)

Hearing began at 10:15 a.m. and halted at 10:30 a.m.

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: This is the second of two scheduled public hearings regarding the annual assessments for the Mid-City Landscape and Lighting Maintenance District.

Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Mid-City and University Heights Community Areas.  
Districts-2 and 3.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1436) ADOPTED AS RESOLUTION R-287699

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Mid-City Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Mid-City Landscape and Lighting Maintenance District. The district was established in July 1987 to provide maintenance of street trees, 4,792 square feet of landscaped medians, benches and street lights within the district boundaries. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 80,800	\$ 80,800
REVENUE:			
Assessments	\$ 61,387	0	61,387
Interest	0	3,240	3,240
City Contribution	\$ 575	0	\$ 575
TOTAL REVENUE	\$ 61,962	\$ 3,240	\$ 65,202
TRANSFER	28,362	( 28,362)	0
EXPENSE:			
Personnel	\$ 13,328	\$ 0	\$ 13,328
Contractual	41,650	0	41,650
Incidental	24,915	0	24,915
Utilities	10,431	0	10,431
TOTAL EXPENSE	\$ 90,324	\$ 0	\$ 90,324
ENDING BALANCE	\$ 0	\$ 55,678	\$ 55,678

The proposed assessments for Fiscal Year 1997, per front foot for each Sub-Area is tabulated below:

Front Foot Assessment

Description	FY 97	FY 96	% Increase
Area 1	\$9.34	\$9.34	0
Area 2	\$6.99	\$6.99	0
Area 4	\$5.14	\$5.14	0
Area 8	\$9.44	\$9.44	0

Area 10                                \$2.85                \$0.00                100

The assessment in Area 10 is being levied in FY 97 at \$2.85 per front foot. This assessment was zero in FY 96. The zero assessment was possible due to the application of excess reserves that had accumulated in the sub-area. The FY 97 assessment is 38% lower than the FY 95 assessment of \$4.60 per front foot.

FILE LOCATION:                        STRT M-388

COUNCIL ACTION:                        (Tape location: A097-300.)

Hearing began at 10:15 a.m. and halted at 10:30 a.m.

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: This is the second of two scheduled public hearings regarding the annual assessments for the Sorrento Hills Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Sorrento Hills Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1460)      ADOPTED AS RESOLUTION R-287713

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Sorrento Hills Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

A petition for this Landscape Maintenance District was signed by

the owner-developers of 84.3 percent of the property area involved. This landscaping is proposed by the owner-developers of the Sorrento Hills Community along El Camino Real, Carmel Mountain Road, Carmel Creek Road, Sorrento Hills Boulevard, Vista Sorrento Parkway, and certain future roadways and open space areas. These improvements will be installed by the owner-developers within the district. In order to provide for the continued maintenance of the proposed landscaping, this project will depend on the establishment of a Landscape Maintenance District. Property owners within this district will pay for the annual maintenance on the basis of benefit to the land use per equivalent dwelling units (EDUs). The present action is only for the establishment of the district. After the landscape construction is approved and accepted by the City, the landscaping improvements will be maintained by the developers for approximately two years or until June 1998. Consequently, we anticipate assessments will be levied during Fiscal Year 1999. The annual maintenance cost for the proposed landscaping improvements is estimated at \$445,583. The estimated annual assessment is approximately \$169 per EDU. The property owners' assessments would not occur until Fiscal Year 1999.

FILE LOCATION:                   STRT - M-408

COUNCIL ACTION:               (Tape location: D011-160.)

Hearing began at 2:09 p.m. and halted at 2:21 p.m.

Testimony in opposition by Tom Acuna.

MOTION BY MATHIS TO ADOPT THE RESOLUTION TO ESTABLISH THE BOUNDARIES FOR THE SORRENTO HILLS LANDSCAPE MAINTENANCE DISTRICT WITH DIRECTION TO STAFF TO COME BACK WITH A RECOMMENDATION WHETHER OR NOT TO ASSESS SDG&E; AND TO PROVIDE LEGAL JUSTIFICATION WITH THAT RECOMMENDATION. Second by Warden. Passed by the following vote:  
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: This is the second of two scheduled public hearings

regarding the annual assessments for the San Diego Street Light Maintenance District No. 1. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(City-wide).

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1472) ADOPTED AS RESOLUTION R-287700

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the San Diego Street Light Maintenance District No. 1.

CITY MANAGER SUPPORTING INFORMATION:

The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$110,272	\$ 73,427	\$ 183,699
REVENUE:			
Assessments	\$571,305	0	571,305
Interest	31,935	0	31,935
City Contribution	\$262,260	0	\$ 262,260
TOTAL REVENUE	\$865,500	\$ 0	\$ 865,500
TRANSFER			
Transfer to General Fund	( 26,160)	0	( 26,160)
Transfer to Reserve	(150,000	150,000	0
Total Cash Available	\$799,612	\$223,427	\$1,023,039
EXPENSE:			
Electrical Energy	\$379,040	\$ 0	\$ 379,040
Maintenance-Operations	262,260	0	262,260
Maint.-Major Repair & Paint	0	200,000	200,000
Centre City Maint. Program	11,500	0	11,500

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Tuesday, July 30, 1996**

**Page 14**

Engineering & Misc.	94,405	0	94,405
TOTAL EXPENSE	\$747,205	\$200,000	\$ 947,205
ENDING BALANCE	\$ 52,407	\$ 23,427	\$ 75,834

This action establishes the Fiscal Year 1997 assessments for the San Diego Street Light Maintenance District No. 1 ("District"). The District provides funding for the energy and maintenance costs for lighting levels above standard City "Safety Lighting" to 58 subdistricts. New areas are added to the District by annexation. Approximately 40 percent of the street lights within the District are required for "Safety Lighting." The City pays for this obligation by providing in-kind maintenance service to the District.

As a part of this action, it is proposed to annex or amend the following into the District:

1. Property to be known as "El Cajon Boulevard No. 2" subdistrict as shown in Attachment "A" of the Engineer's Report.
2. Property added to the "Golden Hill" subdistrict as shown in Attachment "B" of the Engineer's Report.

All property owners in the above areas to be annexed or amended will be notified of the proposed annexation hearings and their rights regarding protest of the proposed actions. The proposed assessment to the District for Fiscal Year 1997 is \$571,305. The District assessment has increased \$30,040 from Fiscal Year 1996 due to subdistrict annexations and a change in assessable Frontage in the subdistricts. The assessable rates to each subdistrict has remained the same as Fiscal Year 1996. Assessment costs vary for each subdistrict depending on the number and type of lights. Subdistrict costs are divided by the amount of assessable street frontage within each subdistrict to calculate a rate for each subdistrict. Proposed Fiscal Year 1997 assessment rates for each of the 58 subdistricts including the proposed annexations are displayed in Attachment "C" of the Engineer's Report.

FILE LOCATION: STRT M-390

COUNCIL ACTION: (Tape location: A097-300.)

Hearing began at 10:15 a.m. and halted at 10:30 a.m.

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: This is the second of two scheduled public hearings  
regarding the annual assessments for the Downtown  
Maintenance District.

Following public testimony at today's meeting, the  
Council will consider and may confirm the proposed  
assessments.

(Centre City Community Area. Districts-2, 3 and 8).

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt  
the following resolution:

(R-96-1442) ADOPTED AS RESOLUTION R-287701

Considering the protests, approving the modified map,  
confirming the assessments, and ordering the proposed  
maintenance in the matter of the Downtown Maintenance  
District.

CITY MANAGER SUPPORTING INFORMATION:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$323,542	\$ 323,542
REVENUE:			
District Assessments	\$ 641,581	0	641,581
Interest	0	9,722	9,722
City Contribution:			
a. Gas Tax Fund	13,615	0	13,615
TOTAL REVENUE	\$ 655,196	\$ 9,722	\$ 664,918
TRANSFER FROM RESERVE	289,489	(289,489)	0

Minutes of the Council of the City of San Diego  
for the Regular Meeting of Tuesday, July 30, 1996

Page 16

Total Cash Available	\$ 944,685	\$ 43,775	\$ 988,460
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EXPENSE:

Personnel	\$ 457,130	\$ 0	\$ 457,130
Contractual Maint.	239,467	0	239,467
Incidental Expense	222,633	0	222,633
Utilities	25,455	0	25,455
TOTAL EXPENSE	\$ 944,685	\$ 0	\$ 944,685

ENDING FUND BALANCE	\$ 0	\$ 43,775	\$ 43,775
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NOTES:

- a. Gas Tax Fund contributes \$13,615 for graffiti control and median landscaping.

This action establishes the Fiscal Year 1997 assessments for the Downtown Maintenance Assessment District which was formed in January 1972 by Council resolution. The district provides specialized services such as litter and graffiti control, street tree maintenance and sidewalk cleaning to six zones within the district as well as maintaining a system of open space/parks (Zone 6) for the benefit of all properties within the boundaries of the district.

The total amount proposed to be assessed to the district for Fiscal Year 1997 is \$641,581, compared with \$685,491 for Fiscal Year 1996.

ZONE	FY '97	FY '96	DIFFERENCE
Zone 1	\$ 90,216	\$108,036	(\$17,820)
Zone 2	102,832	117,215	( 14,383)
Zone 3	317,723	346,548	( 28,825)
Zone 4	30,807	39,941	( 9,134)
Zone 5	21,575	27,051	( 5,476)
Zone 6	55,226	46,700	8,526
Zone 7	23,202	0	23,202
Total	\$641,581	\$685,491	(\$43,910)

Five of the seven zones cost estimates have decreased from the Fiscal Year 1996 assessment. Zone 6 (Open Space/Parks) has increased as a result of adding the maintenance of the MTDB Landscaped Right-of-Way, the Gaslamp Square Park and Children's Park Pond to the district. Zone 7 is a newly created zone that will maintain approximately 350 recently planted trees within the Centre City East community per the community's request.



**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Tuesday, July 30, 1996**

**Page 17**

FILE LOCATION: STRT M-386

COUNCIL ACTION: (Tape location: A097-300.)

Hearing began at 10:15 a.m. and halted at 10:30 a.m.

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336:

SUBJECT: Public hearing to levy proposed assessments for the  
Diamond Business Improvement District for FY 1997.  
Council will take action at this meeting. Public  
testimony will also be taken at this meeting.

(District-4.)

(Continued from the meeting of June 25, 1996, a portion  
of Item 339, at Councilmember Stevens's request, to  
determine why the Diamond Business Improvement District  
(BID) fees are much higher when compared to the other  
assessments.

CITY MANAGER'S RECOMMENDATION:

Adopt the following Resolution:

(R-97-109) ADOPTED AS RESOLUTION R-287702

A Resolution to confirm the budget report and levying  
an annual assessment within the Diamond Business  
Improvement District for July 1, 1996 through June 30,  
1997 (FY 1997).

CITY MANAGER SUPPORTING INFORMATION:

Business Improvement District (BIDs) are authorized by State law  
to assess benefitted businesses for the cost of certain  
activities. These activities are generally promotional in  
nature. Once a BID is established the City collects the  
assessments and disburses them to an appropriate entity  
representing the district pursuant to an annual operating

agreement. There are currently 14 active districts in the City of San Diego: Adams Avenue, City Heights, College Area, Diamond, Downtown, El Cajon Boulevard-Gateway, El Cajon Boulevard Central, Gaslamp, Hillcrest, La Jolla, Mission Hills, North Park, Ocean Beach, and Old Town. State law requires that the City Council annually adopt a budget for each BID and hold a public hearing to levy appropriate assessments. The actions taken by Council on June 3, 1996 accepted the budget reports and set June 25, 1996 for the public hearing to levy the proposed assessment for each BID for FY 1997. On June 25, 1996 the proposed assessment for the Diamond Business Improvement District was continued to today's meeting.

FILE LOCATION: STRT - L-5, L-8, L-1, L-6, L-9, L-3, L-4,  
L-2, L-12, L-7, L-11, L-13

COUNCIL ACTION: (Tape location: A097-300.)

Hearing began at 10:15 and halted at 10:30 a.m.

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-337:

SUBJECT: Consideration of an ordinance amending the San Diego Municipal Code that addresses Citywide Landscape Regulations (in the Non-Appealable portion of the Coastal Zone).

Regulatory Relief Item No. 7 - Amend the San Diego Municipal Code Sections 101.0710, 101.0711, 101.0712 and 101.0713 to simplify Citywide Landscape Regulations.

These items were previously considered by both the Planning Commission and City Council and have been directed to come back for reconsideration of alternatives.

(Citywide.)

(Continued from the meeting of June 11, 1996, Item 341b, for 30 days, at the request of Councilmember Kehoe, to allow additional Community Review.)

Continued by a vote of 8-0. District 4 not present.  
Continued for 30 days at Councilmember Kehoe's request for additional Community Review.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

Item 7. Landscape Regulations

(O-96-123)(Rev. 1) INTRODUCED, TO BE ADOPTED SEPTEMBER 3, 1996

Introduction of an Ordinance amending the San Diego Municipal Code relating to Citywide Landscape Regulations.

OTHER RECOMMENDATIONS:

Planning Commission voted 6-0 to recommend approval.

Ayes: Neils, Anderson, Quinn, Skorepa, Watson, White

Nays:

Not present: Butler

The Peninsula Community Planning Board, Inc. partially agreed with some amendments for Item 4, but objected to requirement that residences 45 years or older would not qualify for the CDP exclusion.

SUPPORTING INFORMATION:

Following is proposed for amendment:

Regulatory Relief Item No. 7 - Amend the San Diego Municipal Code Sections 101.0710, 101.0711, 101.0712 and 101.0713 to simplify Citywide Landscape Regulations.

This project is located in the Coastal Zone, therefore the City Council's decision requires amending the City's Local Coastal Program. As a result, the final decision on this project will be

with the California Coastal Commission. The City of San Diego must submit this as an amendment for certification to the Coastal Commission. The amendment is not effective in the Coastal Zone until the Coastal Commission unconditionally certifies the amendment.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A097-300.)

Hearing began at 10:15 a.m. and halted at 10:30 a.m.

CONSENT MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE.

Second by Mathis. Passed by the following vote:

Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-338: TRAILED TO AUGUST 5, 1996

SUBJECT: Proposed Amendments to the Progress Guide and General Plan, the North City Future Urbanizing Area Framework Plan, and the Torrey Highlands Subarea Plan for Subarea IV; and Adoption of an Election Ordinance to Place a Phase Shift Measure on the November, 1996 Ballot.

(North City Future Urbanizing Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the Resolutions in Subitems A, C, D and E; and introduce and adopt the Ordinance in Subitem B:

Subitem-A: (R-97-59)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-93-0152, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section

21081.

Subitem-B: (O-97-9)

Introduction and adoption of an Ordinance placing a Phase Shift Measure on the November 1996 ballot for the 1,134-acre portion of Torrey Highlands - Subarea IV in the North City Future Urbanizing Area.

Subitem-C: (R-97-60)

Adoption of a Resolution approving the proposed amendments to the Progress Guide and General Plan and North City Future Urbanizing Area Framework Plan which includes the Torrey Highlands Subarea Plan as the Subarea Plan for Subarea IV.

Subitem-D: (R-97-61)

Adoption of a Resolution confirming the City Council's intent to find Fairbanks Highlands Final Map in conformance with VTM-88-1041 in the event of a lot line adjustment.

Subitem-E: (R-97-66)

Adoption of a Resolution to grant and accept a conservation easement for the "Torrey Highlands Preserve Segment" of the proposed MSCP.

OTHER RECOMMENDATIONS:

Planning Commission voted 7-0 to approve.

Ayes: Neils, Anderson, Butler, Quinn, Skorepa, Watson, White

The Rancho Pegasquitos Community Planning Group has recommended approval of the project.

SUPPORTING INFORMATION:

Matter of the following:

1. An amendment to the Progress Guide and General Plan - Phased Development Areas Map to change the designation of a 1,134-acre

area within the Torrey Highlands Subarea Plan for Subarea IV in the North City Future Urbanizing Area (NCFUA) from Future Urbanizing to Planned Urbanizing.

2. Amendments to the North City Future Urbanizing Area (NCFUA) Plan boundary, Land Use, Open Space, Transportation, Public Facilities, and Implementation elements to reflect revised land use designations, distribution of land uses, road system, facilities, and development and open space areas as proposed in the Torrey Highlands - Subarea IV Plan. If adopted, the Torrey Highlands - Subarea IV Plan will comprise the amendments to the NCFUA Framework Plan.

3. A subarea plan for Torrey Highlands - Subarea IV of the NCFUA. The plan proposes two land use plans to accommodate the two alignments currently under study for State Route-56 and establishes boundaries and implementation consistent with the City's proposed Multiple Species Conservation Program (MSCP). The plan also designates sites necessary for public services and facilities such as schools, parks, libraries, roads, water and public safety needs.

LEGAL DESCRIPTION:

Subarea IV encompasses 1,522 acres in the central eastern portion of the NCFUA. It is surrounded by Subarea 1, V and 111 to the north, south, and west, respectively. The community of Rancho Penasquitos is located to the east of Subarea IV.

FILE LOCATION: SUBITEM A & C: LAND - North City Future Urbanizing Area; SUBITEM B & E: NONE; SUBITEM D: SUBD - Fairbanks Highlands

COUNCIL ACTION: (Tape location: D165-F323.)

Hearing began at 2:22 p.m. and halted at 3:58 p.m.

Mayor Golding left at 3:12 p.m. and returned at 3:19 p.m.

Testimony in opposition by Fred Maas, Allen Hayie, Thomas Steinke, Janet Raschike, David Poole, and Anne Debevoise.

Testimony in favor by Craig Beam, Jim Abbot, Kevin McNamara, Jim Dawe, Kathleen McIntosh, Lynne Heidel, Jan Fuchs, Norma

Sullivan, David Kreitzer, Craig Adams, Janet Anderson, David Goodell, Stephan Comey, and Nick Delorenzo.

Mayor Golding closed the public testimony portion of the hearing.

Motion by Council Member Mathis to adopt the Resolutions and Introduce, Dispense with the reading, and adopt the Ordinance with the following changes to the City Manager's recommendation: 1) Incorporate changes included in the letter from Kevin McNamara's Rancho Penasquitos Planning Group, dated July 29, 1996; 2) Include revisions developed in conjunction with the Poway Unified School District to the following documents: revised ballot ordinance; mitigation measures in the EIR; subarea plan text and inclusion of the school mitigation agreement as appendix a of the plan and; plan adoption resolution. Second by Kehoe.

Council Member Mathis withdrew the motion.

Trailed to August 5, 1996 for further review.

ITEM-339:

SUBJECT: Seabreeze Farms Project. Consideration of amendments to the Progress Guide and General Plan, North City Future Urbanizing Area Plan, Carmel Valley Community Plan, and Neighborhoods 4, 5, and 6 Precise Plans; and adoption of an Election Ordinance to place a Phase Shift Measure on the November 1996 Ballot. North City Future Urbanizing Area.

(District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Resolution in Subitems A and C; and introduce and adopt the Ordinance in Subitem B:

Subitem-A: (R-97-67) ADOPTED AS RESOLUTION R-287703

Adoption of a Resolution certifying that the information contained in Environmental Impact Report

EIR-35-0385 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-97-8) INTRODUCED AND ADOPTED AS  
ORDINANCE O-18327 (New Series)

Introduction and adoption of an Ordinance placing a Phase Shift Measure on the November 1996 Ballot for the 72-acre portion of Subarea III in the North City Future Urbanizing Area.

Subitem-C: (R-97-68) ADOPTED AS RESOLUTION R-287704

Adoption of a Resolution approving the proposed amendment to the Phased Development Areas Map of the Progress Guide and General Plan to change the designation of the 72 acre portion of Subarea III in the North City Future Urbanizing Area to Planned Urbanizing and approving the Seabreeze Farms - Carmel Valley Neighborhood 4, 5, and 6 Precise Plan as an amendment to the North City Future Urbanizing Area Framework Plan and Progress Guide and General Plan.

OTHER RECOMMENDATIONS:

Planning Commission voted 7-0 to approve.

Ayes: Neils, Anderson, Butler, Skorepa, Quinn, Watson,  
White

The Carmel Valley Community Planning Group has recommended approval of the project.

SUPPORTING INFORMATION:

Matter of the following:

1. Amendment to the Progress Guide and General Plan - Phased Development Areas Map to change the designation of a 72-acre area



4. Amendment to the Neighborhood 4, 5, and 6 Precise Plan, boundary, Land Use, Transportation, Open Space, Affordable Housing and Urban Design elements to address development and phasing of the 72-acre area (Seabreeze Farms).

The project site is located immediately east of Carmel Valley and is generally bounded by existing Carmel Valley Road to the east, proposed State Route 56 to the south, and Del Mar Heights Road to the north. The property is characterized by level topography along the eastern border of the site that slopes down into lower elevations along the western and southwestern portions of the site.

Testimony in favor by Anne Harvey.

CONSENT MOTION BY STALLINGS TO ADOPT THE RESOLUTIONS AND  
INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE  
ORDINANCE. Second by Mathis. Passed by the following vote:  
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-nay,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

SUBJECT: A specific plan for Subarea V (Del Mar Mesa) of the

North City Future Urbanizing Area (NCFUA). Amendments to the City of San Diego Progress Guide and General Plan, the NCFUA Framework Plan, the A-1-10 Zone, the Planned Residential Development Ordinance, the Resource Protection Ordinance and the North City Local Coastal Program (LCP).  
(Del Mar Mesa Specific Plan (Subarea V). District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A, C and E and introduce Subitems B and D:

Subitem-A: (R-97-53) ADOPTED AS RESOLUTION R-287714

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-95-0353 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-97-5) INTRODUCED, TO BE ADOPTED ON  
SEPTEMBER 3, 1996

Introduction of an Ordinance adopting the Del Mar Mesa Specific Plan.

Subitem-C: (R-97-54) ADOPTED AS RESOLUTION R-287715

Adoption of a Resolution approving the proposed amendment to the Progress Guide and General Plan, the NCFUA Framework Plan and the North City Local Coastal Program and implementing ordinances.

Subitem-D: (O-97-6) INTRODUCED, TO BE ADOPTED ON  
SEPTEMBER 3, 1996

Introduction of an Ordinance adopting the proposed amendments to the A-1 Zone (SDMC 101.0404), Planned Residential Development Ordinance (SDMC 101.0462) and the Resource Protection Ordinance (SDMC 101.0901).

Subitem-E: (R-97-58 COR. COPY) ADOPTED AS RESOLUTION  
(07-30-96) R-287716

Adoption of a Resolution imposing a special fee for costs incurred in preparing the Del Mar Mesa Specific Plan.

COMMITTEE ACTION:

Reviewed by the Land Use and Housing Committee on 7/10/96, Item No. 2. Motion to recommend City Council approve the City Manager's recommendation with changes and direction. Districts 1, 4 & 5 voted yea. Districts 2, 7 not present.

OTHER RECOMMENDATIONS:

Planning Commission voted 6-0 to recommend approval for the Environmental Impact Report, the associated amendments to the Progress Guide and General Plan, North City Local Coastal Program and Framework Plan, the associated amendments to the A-1 Zone, PRD Ordinance and RPO, and Del Mar Mesa Specific Plan.

Ayes: Neils, Anderson, Quinn, Skorepa, Watson, White  
Nays: None.  
Not Present: Butler

Planning Commission voted 5-1 to recommend that language be added stating that Shaw Ridge Road could be a cul-de-sac if construction of Camino Santa Fe precedes construction of Shaw Ridge Road as a through road.

Ayes: Neils, Anderson, Quinn, Watson, White  
Nays: Skorepa  
Not Present: Butler

Planning Commission voted 4-2 to recommend that the criteria for occupancy of companion units stated in the errata sheet be revised.

Ayes: Neils, Anderson, Watson, White  
Nays: Quinn, Skorepa  
Not Present: Butler

There is no officially recognized community planning group for this area.

SUPPORTING INFORMATION:

1. A specific plan for Subarea V (Del Mar Mesa) of the North

City Future Urbanizing Area (NCFUA). The plan proposes new land use designations, establishes development regulations to permit the allocation of density to more developable portions of the subarea, and establishes boundaries and implementation consistent with the City's proposed Multiple Species Conservation Program (MSCP). The plan also identifies necessary public services and facilities such as schools, parks, libraries, roads, water, sewer and drainage facilities and public safety needs. Parcels in the A-1-10 Zoned areas designated for development in the specific plan can develop up to one dwelling unit/2.5 acres. Parcels zoned A-1-1 can develop up to one dwelling unit/acre consistent with the underlying zoning. Parcels designated Open Space/Rural Residential in the specific plan can develop up to one dwelling unit/ten acres consistent with the underlying zoning.

2. Amendment(s) to the City of San Diego Progress Guide and General Plan to reflect the Del Mar Mesa land use designations.

3. Amendment(s) to the North City Future Urbanizing Area (NCFUA) Framework Plan land use, open space, transportation, public facilities, implementation and affordable housing elements to reflect the dwelling unit allocation, road system, facilities, and development and open space areas in the Del Mar Mesa Specific Plan. Permits the processing of a specific plan in place of a subarea plan, amends the affordable housing section to accommodate the provision of affordable units off-site (north of SR-52), amends the Subarea V boundary, and deletes the requirement for a purchase agreement for the school/park joint use site within Subarea V.

4. Amendment(s) to the A-1-10 Zone to reflect the specific plan density of one dwelling unit/2.5 acres in areas designated for development and associated development regulations, delete the one dwelling unit per four-acre rural cluster option for the specific plan area. 5. Amendment(s) to the Planned Residential Development Ordinance (PRD) to exempt development within the Del Mar Mesa Specific Plan area from the supplemental findings specific to projects within the NCFUA, eliminate the one dwelling unit per four-acre rural cluster option, and eliminate the minimum open space and landscaping requirements for development within the Del Mar Mesa Specific Plan area. PRDs in Subarea V will be heard in accordance with "Process 3".

6. Amendment(s) to the Resource Protection Ordinance (RPO) to supersede development regulations of the RPO with those of the Del Mar Mesa Specific Plan for projects within the boundaries of

the specific plan, to eliminate the general exemption for development of single family residences, and to provide a limited permit exemption for projects within the Del Mar Mesa Specific Plan area where development is wholly within the designated development area and provides appropriate setbacks from designated floodplains, wetlands, identified archeological resources and designated historical resources.

7. Amendment(s) to the North City Local Coastal Program (LCP) and implementing ordinances. If adopted by the City, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment will not become effective in the Coastal Zone until after the amendment has been unconditionally approved by the California Coastal Commission.

FILE LOCATION: SUBITEMS A, C & E: LAND - North City Future Urbanizing Area; SUBITEMS B & D: None

COUNCIL ACTION: (Tape location: F336-H373.)

Hearing began at 3:59 p.m. and halted at 5:25 p.m.

Testimony in opposition by Jan Fuchs, Kathleen McIntosh, Matt McCaw, Jan Hudson, Daniel Broomfield, Cheryl Bessimier, Justin Besemen, Anne Harvey, Peter Katz, and Janice Zamudio. Testimony in favor by Craig Adams, Matt Peterson, Jerry McCaw, Robert Stewart, Dave Nielsen, Jeff Barfield, Rebecca Michael, Mike Kelley, Janet Anderson and Allison Rolfe.

MOTION BY MATHIS TO ADOPT THE RESOLUTIONS AND TO INTRODUCE THE ORDINANCES TO REFLECT THE FOLLOWING: 1) SUBITEM A: ADOPTION OF A RESOLUTION CERTIFYING THAT THE INFORMATION CONTAINED IN ENVIRONMENTAL IMPACT REPORT DEP-95-0353 HAS BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970 AND STATE GUIDELINES, AND THAT SAID REPORT HAS BEEN REVIEWED AND CONSIDERED BY THE COUNCIL AND ADOPTING APPROPRIATE FINDINGS OF MITIGATION, FEASIBILITY OR PROJECT ALTERNATIVES AND STATEMENT OF OVERRIDING CONSIDERATIONS PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE SECTION 21081; 2) SUBITEM B: INTRODUCTION OF AN ORDINANCE ADOPTING THE DEL MAR MESA SPECIFIC PLAN, WHICH INCLUDES THE JULY 1, 1996, ERRATA SHEET AS CONTAINED IN CITY MANAGER'S REPORT P-96-174; 3) SUBITEM-C: ADOPTION OF A RESOLUTION APPROVING THE PROPOSED AMENDMENT TO THE PROGRESS GUIDE AND GENERAL PLAN, THE NCFUA FRAMEWORK PLAN AND THE

NORTH CITY LOCAL COASTAL PROGRAM AND IMPLEMENTING ORDINANCES; 4) SUBITEM-D: INTRODUCTION OF AN ORDINANCE ADOPTING THE PROPOSED AMENDMENTS TO THE A-1 ZONE (SDMC 101.0404), PLANNED RESIDENTIAL DEVELOPMENT ORDINANCE (SDMC 101.0462) AND THE RESOURCE PROTECTION ORDINANCE (SDMC 101.0901); 5) SUBITEM E: ADOPTING OF A RESOLUTION IMPOSING A SPECIAL FEE FOR COSTS INCURRED IN PREPARING THE DEL MAR MESA SPECIFIC PLAN; 6) APPROVE THE JULY 22, 1996 "SUPPLEMENTAL TO ERRATA SHEET DATES 7/1/96," SHOWN AS ATTACHMENT 1 IN THE

MEMORANDUM FROM THE ASSISTANT CITY MANAGER AND PLANNING DIRECTOR TO: A. DESIGNATE SHAW RIDGE ROAD AS RURAL AND HOLD FINAL ACTION UNTIL THE FINANCING PLAN COMES BACK FROM COUNCIL; B. REMOVE THE SHAW VALLEY TRAIL FROM THE DEL MAR MESA SPECIFIC PLAN; C. REVISE LANGUAGE ABOUT WATER AND SEWER STUDIES; D. REDUCE THE AFFORDABLE HOUSING REQUIREMENT TO TEN PERCENT; E. ALLOW THE AFFORDABLE HOUSING IN-LIEU FEES TO BE SPENT ANYWHERE WITHIN THE CITY; F. RETAIN THE ACCESSORY UNIT PROVISION AS STATED IN MANAGER'S REPORT NO. P-96-174, WITH REGARDS TO LIMITED USE AND RESTRICTIONS ON AFFORDABILITY OF THESE UNITS; 7) APPROVE THE CHANGES TO THE RESOURCE PROTECTION ORDINANCE PREPARED BY THE CITY ATTORNEY'S OFFICE; 8) DIRECT THE CITY MANAGER TO MAKE TEXT CHANGES AND CLARIFICATIONS IN THE DEL MAR MESA SPECIFIC PLAN TO BETTER EXPLAIN THE PLAN'S CONFORMITY WITH COUNCIL POLICY 600-40, THE RESOURCE PROTECTION ORDINANCE, SUPPLEMENTAL REGULATIONS FOR RESOURCE MANAGEMENT, AND OFF-SITE MITIGATION; 9) DIRECT THE CITY MANAGER TO REVIEW THE EQUESTRIAN TRAIL NETWORK INCLUDING SHAW VALLEY TRAIL, IN THE AREAS OF SUBAREA V AND CARMEL VALLEY NEIGHBORHOODS 8A AND 10, AND REPORT TO THE LAND USE AND HOUSING COMMITTEE WITH RECOMMENDATIONS ABOUT IMPLEMENTING THE NETWORK; AND 10) DIRECT THE CITY MANAGER TO INITIATE A STRATEGY IMMEDIATELY FOR OPEN SPACE ACQUISITION IN THE ACQUISITION AREA WHICH SHOULD INCLUDE PRELIMINARY CONTACTS WITH AFFECTED PROPERTY OWNERS.

Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-341:

SUBJECT: Verde Del Mar Specific Plan and Public Facilities  
Financing Plan Amendment 35-0213, Tentative Map,

Planned Residential Development Permit, Hillside Review Permit and Rezone No. 92-0430. (Planned Urbanizing Area).  
(Case-SP/TM/RZ/PRD/HRP-92-0430. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the Resolution in Subitem A; introduce the Ordinance in Subitem B; adopt the Resolutions in Subitems C, D, and E to approve the map and permits; adopt the Resolution in Subitem F:

Subitem-A: (R-97-77) ADOPTED AS RESOLUTION R-287705

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-92-0430, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-97-23) INTRODUCED, TO BE ADOPTED  
SEPTEMBER 3, 1996

Introduction of an Ordinance approving the rezoning.

Subitem-C: (R-97-126) GRANTED PERMIT, ADOPTED AS  
RESOLUTION R-287706

Adoption of a Resolution granting or denying the permits, with appropriate findings to support Council action.

Subitem-D: (R-97-78) ADOPTED AS RESOLUTION R-287707

Adoption of a Resolution approving the proposed amendments to the specific plan.

Subitem-E: (R-97-127 COR. COPY) GRANTED MAP, ADOPTED AS  
RESOLUTION R-287708

Adoption of a Resolution approving or denying the map, with appropriate findings to support Council action.

Subitem-F: (R-97-79) ADOPTED AS RESOLUTION R-287709

Amending and revising the Via de la Valle Public Facilities Financing Plan to: 1) Include Area 6 of the Via de La Valle Specific Plan to the Financing Plan Area; 2) Add the Northwestern Police Station as a project in the plan; 3) Include deposit rates for the Fiscal Years 1996-2002, pursuant to the "Amendment and Revision to Via de la Valle Public Facilities Financing Plan.

OTHER RECOMMENDATIONS:

Planning Commission voted 5-1 to approve.

Ayes: Neils, Anderson, Quinn, Watson, White  
Nays: Skorepa  
Not Present: Butler

There is no officially recognized community planning group for this area.

SUPPORTING INFORMATION:

The "Verde Del Mar" project proposes to implement a 19-unit single-family subdivision on portions of a vacant 8.1 net acre site located on the north side of Via de la Valle. The vacant property is not situated within an adopted community planning area. Instead, the property is located within the Planned Urbanizing Area of the City and is designated on the General Plan for residential development.

LEGAL DESCRIPTION:

The project site is located at the northwesterly boundary of the City of San Diego, adjacent to unincorporated County area. The site is approximately 1,000 feet west of the intersection of Via de la Valle and El Camino Real.

FILE LOCATION: Subitems A,D: LAND - Verde Del Mar Sp;  
Subitem B: NONE; Subitem C: PERM -  
TM/PRD/HRP-92-0430; Subitem E: SUBD - Verde  
Del Mar; Subitem F: STRT - FB-17

COUNCIL ACTION: (Tape location: A097-300.)

Hearing began at 10:15 a.m. and halted at 10:30 a.m.



CONSENT MOTION BY STALLINGS TO ADOPT THE RESOLUTIONS AND  
INTRODUCE THE ORDINANCE. Second by Mathis. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ITEM-342:

SUBJECT: A matter of a Conditional Use Permit, Height Limitation  
Exception and Community Plan Implementation Overlay  
Zone for the installation of wireless communication  
(PCS) project.

(CUP/CPIOZ-95-0351-22. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A and adopt Subitem B to grant the permit:

Subitem-A: (R-97-46) ADOPTED AS RESOLUTION R-287710

Adoption of a Resolution certifying that the  
information contained in Environmental Negative  
Declaration DEP-95-0351-22 has been completed in  
compliance with the California Environmental Quality  
Act of 1970 and State guidelines, and that said  
declaration has been reviewed and considered by the  
Council pursuant to California Public Resources Code  
Section 21081.

Subitem-B: (R-97-131) GRANTED PERMIT, ADOPTED AS  
RESOLUTION R-287711

Adoption of a Resolution granting or denying the  
permits, with appropriate findings to support Council  
action.

OTHER RECOMMENDATIONS:

Planning Commission voted 4-0 to approve the project.

Ayes: Skorepa, White, Neils, Anderson

Abstaining: Quinn, Watson

Not Present: Butler

The Clairemont Mesa Planning Committee has recommended approval of the project.

SUPPORTING INFORMATION:

The project proposes to install a wireless communication (PCS) facility consisting of eight facade-mounted panel antennas, a Global Positioning System (GPS) antenna and seven roof-mounted equipment cabinets. The site is zoned CA (Area Shopping Center) and CPIOZ (Community Plan Implementation Overlay Zone) Type B and is designated for commercial development in the Clairemont Mesa Community Plan area.

LEGAL DESCRIPTION:

The project site is located at 4282 Genesee Avenue on the southwest corner of the intersection of Genesee Avenue and Mt. Etna Drive (Parcel 2 of Map-9284) in the Clairemont Mesa Community Plan Area.

FILE LOCATION: PERM - CUP/CPIOZ-95-0351-22

COUNCIL ACTION: (Tape location: A097-300.)

Hearing began at 10:15 a.m. and halted at 10:30 a.m.

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-343:

SUBJECT: Condemnation Action Required for Normal Heights Park.

(See City Manager Report CMR-96-151. Mid-City  
Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-52) ADOPTED AS RESOLUTION R-287712

Determining and declaring that the public interest,  
convenience and necessity of the City of San Diego

require the acquisition of a partial parcel of property for the public project known as the Normal Heights Park, specifically a portion of Villa Lot 199 of Normal Heights, located south of 39th Street between I-15 on the east and Cherokee on the west, in the Mid-City Community; and that the public interest, convenience and necessity demand the acquisition of fee simple absolute to the property to complete the acquisition of required property identified for the Normal Heights/Kensington Community Park and to meet the acreage standards set forth in the General Plan and the Community Plan;

Declaring the intention of the City of San Diego to acquire the property under eminent domain proceedings;

Directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning the property and acquiring immediate possession.

NOTE: 6 votes required.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A097-300.)

Hearing began at 10:15 a.m. and halted at 10:30 a.m.

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-344:

SUBJECT: Two actions related to Condemnation Proceedings for the Construction of the South Bay Water Reclamation Plant.

(See City Manager Report CMR-96-150. Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-97-44) ADOPTED AS RESOLUTION R-287717

FINDINGS MUST BE MADE AS PART OF COUNCIL ADOPTION

Determining and declaring that the public interest, convenience and necessity of the City of San Diego requires the construction, operation and maintenance of the South Bay Water Reclamation Plant, Phase I Project, to provide additional capacity relief for the South Metro Interceptor which carries wastewater from the southern portion of San Diego and other participating agencies to the Point Loma Wastewater Treatment Plant, to provide for future growth, and to provide reclaimed water to the South Bay Region; that the Reclamation Plant Project requires the acquisition of property which is part of the Tijuana River Valley Regional Park;

Declaring the intention of the City to acquire the property under eminent domain proceedings;

Directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning the property and acquiring immediate possession.

NOTE: 6 votes required for Subitem A.

Subitem-B: (R-97-45) ADOPTED AS RESOLUTION R-287718

Authorizing the expenditure of not to exceed \$143,000 from Fund No. 41509, Organization 7002, Object Account 4638, Job Order 194246, CIP-42-910.6, for costs related to condemnation of fee title in connection with Phase I of the South Bay Water Reclamation Plant Project.

Aud. Cert. 9700073.

FILE LOCATION: SUBITEMS A & B: WATER - South Bay Water  
Reclamation Plant, Phase I

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Tuesday, July 30, 1996**

**Page 37**

COUNCIL ACTION: (Tape location: H385-419.)

Hearing began at 5:24 p.m. and halted at 5:28 p.m.

MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-345:

SUBJECT: Fiscal Year 1997 Annual Appropriation Ordinance.

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-97-1) INTRODUCED AND ADOPTED AS ORDINANCE O-18328  
(New Series)

Adopting the Annual Budget for Fiscal Year 1996-97 and appropriating the necessary money to operate the City of San Diego for said fiscal year.

NOTE: See Item 200 on the regular docket of Monday, July 29, 1996 for the first public hearing. Today's action is the second public hearing for the introduction and adoption of the ordinance.

FILE LOCATION: MEET Budget - Annual (Record Series No. 5)

COUNCIL ACTION: (Tape location: A097-300.)

CONSENT MOTION BY STALLINGS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-346: TRAILED AS UNFINISHED BUSINESS TO AUGUST 5, 1996  
DUE TO LACK OF TIME

SUBJECT: Support for Legislation to Preserve "At-Risk"  
Affordable Housing.

(See Housing Commission Report HCR-96-011.)

HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-97-47)

Declaring that the U.S. Congress is respectfully  
requested to take appropriate action to prevent the  
loss of affordable housing units through the prepayment  
of federally insured mortgages;

Declaring that the U.S. Congress is also requested to  
include in the FY97 Federal Budget sufficient funds to  
support the necessary subsidies for acquisition of  
"at-risk" properties by nonprofit agencies and  
sufficient funds to support special Section 8  
subsidies to low-income households detrimentally  
affected by the prepayment.

RULES COMMITTEE'S RECOMMENDATION:

On 7/01/96, RULES voted 3-0 to approve on consent and forward to  
the full Council for approval. (Councilmembers Kehoe, Warden and  
Mayor Golding voted yea. Councilmembers Mathis and Stallings not  
present.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: I273-275.)

ITEM-347:

SUBJECT: Ballot Measure for the Special Municipal Election of  
November 5, 1996 - Phase Shift for Certain Property in  
the Lower San Dieguito River Valley.

CITY ATTORNEY'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-97-18 REV.1) (Villas) INTRODUCED AND ADOPTED AS AMENDED  
AS ORDINANCE O-18330 (New Series)

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego at the Special Municipal Election to be held on November 5, 1996, one proposition amending the Progress Guide and General Plan by redesignating a 27-acre parcel of property in the Lower San Dieguito River Valley, and in the North City Future Urbanizing Area, to Planned Urbanizing from Future Urbanizing.  
Aud. Cert. 9700026.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H426-I336.)

MOTION BY MATHIS TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE AS AMENDED TO REFLECT THE MOVEMENT OF THE BALLOT LANGUAGE. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-348:

SUBJECT: Ballot Measure for the Special Municipal Election of November 5, 1996 - Phase Shift for Certain Property in the Lower San Dieguito River Valley.

CITY ATTORNEY'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-97-20 REV.1) (Villages) INTRODUCED AND ADOPTED AS  
AMENDED AS ORDINANCE O-18331  
(New Series)

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego at the Special Municipal Election to be held on November 5, 1996, one proposition amending the Progress Guide and General Plan by redesignating a 54 acre parcel of property in the lower San Dieguito River Valley, and

in the North City Future Urbanizing Area, to Planned  
Urbanizing from Future Urbanizing.  
Aud. Cert. 9700026.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H426-I336.)

MOTION BY MATHIS TO INTRODUCE, DISPENSE WITH THE READING AND  
ADOPT THE ORDINANCE AS AMENDED TO REFLECT THE MOVEMENT OF  
THE BALLOT LANGUAGE. Second by Vargas. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-not present, Warden-yea, Stallings-not present,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S500: CONTINUED TO AUGUST 6, 1996

SUBJECT: Two actions related to Del Mar Mesa (Subarea V) -  
Facilities Benefit Assessment.

(See City Manager Report P96-177; LU&H Committee  
Consultant Analysis LUH-96-5; Public Facilities  
Financing Plan and Facilities Benefit Assessment Draft;  
Errata. North City Future Urbanizing Area.  
District-1.)

TODAY'S ACTIONS ARE:

Adoption of the following resolutions:

Subitem-A: (R-97-84)

Approving the document entitled "Del Mar Mesa (Subarea  
V of the North City Future Urbanizing Area) Public  
Facilities Financing Plan and Facilities Benefit  
Assessment, Fiscal Year 1997."

Subitem-B: (R-97-85)

Resolution of Intention to designate an area of benefit  
in Del Mar Mesa (Subarea V of the North City Future  
Urbanizing Area) and setting the time and place for  
holding a public hearing.



LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/17/96, LU&H voted 4-0 to approve the City Manager's option 2b, which includes:

- a. Approve the City Manager's recommendations;
- b. Reduce by 20 percent the Open Space Acquisition Fee for any projects in the A-1-1 zone developing at a density no greater than their underlying zone;
- c. Revise Project 43-3 "Shaw Ridge Road - Carmel Country Road to Camino Santa Fe" from "Subdivider" to "FBA" obligation;
- d. Delete Project 43-11 "Hiking/Equestrian Trail - Shaw Valley."

(Councilmembers Mathis, Wear, Stevens and McCarty voted yea. Councilmember Warden not present.)

FILE LOCATION: STRT - FB-16

COUNCIL ACTION: (Tape location: A097-300.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO AUGUST 6, 1996, AT THE REQUEST OF COUNCIL MEMBER MATHIS, FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote:  
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:05 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: I341.)